

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff(s),)
)
vs.) Case No. 1:05CR35 JCH (DDN)
)
KEVIN D. OTTERSON,)
)
Defendant.)

ORDER

This matter is before the Court on Defendant's pre-trial Motion to Suppress Evidence and Statements, filed August 25, 2005. (Doc. No. 40). Pursuant to 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge David D. Noce, who filed a Report and Recommendation on September 26, 2005. Defendant Otterson submitted objections thereto on October 3, 2005.

The Magistrate Judge recommends that the Court deny Defendant's motion. For his Objections to the Report and Recommendation of United States Magistrate Judge, Defendant relies on his previously-filed motion. (Doc. No. 46). After de novo review of this matter, this Court adopts the Magistrate Judge's recommendation.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge (Doc. No. 43) is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS FURTHER ORDERED that Defendant Kevin Otterson's Motion to Suppress Evidence and Statements (Doc. No. 40) is **DENIED**.

Dated this 25th day of October, 2005.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE